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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,925	03/26/2004	Albert Hiller	BM-151DIV	9378

40570 7590 01/29/2007  
FRIEDRICH KUEFFNER  
317 MADISON AVENUE, SUITE 910  
NEW YORK, NY 10017

EXAMINER
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STAIKOVICI, STEFAN

ART UNIT	PAPER NUMBER
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1732

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/810,925	<b>Applicant(s)</b> HILLER, ALBERT	
	<b>Examiner</b> Stefan Staicovici	<b>Art Unit</b> 1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/26/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/26/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Applicant is reminded that in order for a patent issuing on the instant application to obtain the benefit of priority based on priority under 35 U.S.C. 119(a)-(d) or (f), a claim for such foreign priority must be timely made in this application. To satisfy the requirement of 37 CFR 1.55(a)(2) for a certified copy of the foreign application, applicant may simply identify the application containing the certified copy.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mish (US Patent No. 6,025,784) in view of Pleotis (US Patent No. 6,262,807 B1).

Mish ('784) teaches the basic claimed process for making a license plate having a transponder including, providing a license plate frame made from a PVC thermoplastic material (temperature-resistant thermoplastic material), wherein the license plate frame is a shell-shaped receptacle (see Figure 3), positioning a transponder into the shell portion of the license plate frame, placing a cover (38) over the license plate frame (12) and welding the lid (38) to the

license plate frame (12) to form a vehicle license plate (see col. 3, lines 61-65). It is submitted that welding includes a melting process that results in a welding seam. Further, it is noted that because Mish ('784) teaches welding of thermoplastic frame (12) to lid (38), it is submitted that lid (38) is also made from a thermoplastic material (temperature-resistant thermoplastic material) in order for welding to occur. Furthermore, it is submitted that data is inputted into the transponder in order for the invention of Mish ('784) to function as described.

Regarding claims 1 and 4, although Mish ('784) teaches a license plate having characters inscribed on the surface, Mish ('784) does not teach using a laser to inscribe the vehicle license plate after it has been assembled. Pleotis ('807) teaches a process for inscribing a vehicle license plate frame by using a laser to inscribe text and characters onto the frame. Therefore, it would have been obvious for one of ordinary skill in the art to use the laser process of Pleotis ('807) to inscribe the frame of the vehicle license plate in the process of Mish ('784) because Pleotis ('807) teaches that laser inscribing provides for customization of the license plate, hence providing for a more versatile process and an aesthetically improved product.

In regard to claim 2, although the process of Mish ('784) in view of Pleotis ('807) does not teach inscribing the frame and inputting data into the transponder simultaneously, it is well known to combine multiple process steps into a single process step. Therefore, it would have been obvious for one of ordinary skill in the art to inscribe the frame and input data into the transponder simultaneously in the process of Mish ('784) in view of Pleotis ('807) because of known advantages such as, reduced production time, hence increasing productivity.

Specifically regarding claim 3, Mish ('784) teaches inputting data into the transponder regarding the fuel level and consumption (service data).

Regarding claims 9 and 10, Mish ('784) teaches that frame (12) includes a backside with a relief profile with an opening (26) (recess) that extends partially into frame (12) such that the transponder does not extend beyond surface (56) of frame (12) (depth is substantially identical to a thickness of the transponder) (see col. 3, line 66 through col. 4, line 10 and Figure 3).

In regard to claim 11, the process of Mish ('784) in view of Pleotis ('807) does not teach inscribing the frame and inputting data into the transponder after mounting the vehicle license plate. However, it is well known that the purpose of the transponder is to provide up-to-date information on the vehicle and the driver(s) of the vehicle. Hence, in view of the transponder's purpose, it would have been obvious for one of ordinary skill in the art to inscribe the frame and input data into the transponder after mounting the vehicle license plate in the process of Mish ('784) in view of Pleotis ('807) because of known advantages such as providing customization and up-to-date information on the vehicle and the driver(s) of the vehicle, hence providing for an improved product.

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mish (US Patent No. 6,025,784) in view of Pleotis (US Patent No. 6,262,807 B1) and in further view of Muellich (US Patent No. 5,893,959).

Mish ('784) in view of Pleotis ('807) teaches the basic claimed process as described above.

Regarding claims 5 and 6, although Mish ('784) teaches welding of the thermoplastic components, Mish ('784) in view of Pleotis ('807) do not teach laser welding. Muellich ('959) teaches a laser welding process for a thermoplastic housing holding an electronic component including, providing a first piece (8) that is transparent to the laser beam and a second piece (7) that is absorbs the laser, placing the first and second pieces in contact, impinging a laser beam at the interface (10) of the first and second pieces, melting the interface and thereby weld the first and second pieces (see Abstract and col. 2, lines 55-60). Therefore, it would have been obvious for one of ordinary skill in the art to use the laser welding process of Muellich ('959) to weld the license plate frame and the lid in the process of Mish ('784) in view of Pleotis ('807) because Muellich ('959) teaches that the laser welding process is an efficient process for welding a housing for an electronic component and also because Mish ('784) teaches welding of a thermoplastic housing for a transponder (electronic component), hence suggesting the laser welding process of Muellich ('959).

5. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mish (US Patent No. 6,025,784) in view of Pleotis (US Patent No. 6,262,807 B1) and in further view of NL 9000118 (1991).

Mish ('784) in view of Pleotis ('807) teaches the basic claimed process as described above.

Regarding claims 7 and 8, although Mish ('784) teaches welding of the thermoplastic components, Mish ('784) in view of Pleotis ('807) do not teach friction or ultrasound welding.

NL 9000118 (1991) teaches welding of a thermoplastic housing holding an integrated circuit (electronic component). Further, NL 9000118 (1991) teaches that laser, ultrasonic and friction welding are equivalent alternatives (see Abstract). Therefore, it would have been obvious for one of ordinary skill in the art to use the ultrasonic or friction welding process of NL 9000118 (1991) to weld the license plate frame and the lid in the process of Mish ('784) in view of Pleotis ('807) because NL 9000118 (1991) teaches that ultrasonic and friction welding is an efficient process for welding a housing for an electronic component and also because Mish ('784) specifically teaches welding of a thermoplastic housing for a transponder (electronic component), hence suggesting the ultrasonic and friction welding processes of NL 9000118 (1991).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

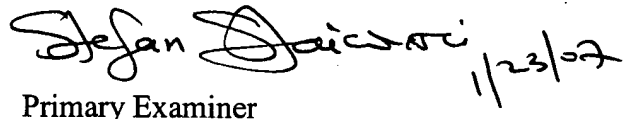
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1732

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stefan Staicovici, PhD

 1/23/07

Primary Examiner

AU 1732

January 23, 2007